

Mt. Carmel, Utah.  
October 5, 1933.

Mr. T. H. Humpherys,  
State Engineer,  
Salt Lake City, Utah.

Dear Mr. Humpherys:-

Your letter <sup>of June 8, 1933</sup> to the various presidents of the three irrigation companies in Long Valley has had a hard time stirring up any action. Joseph F. Smith was finally chosen to represent Glendale Irrigation Co., LeGrande C. Heaton to represent Orderville Irrigation Co., and Birt Gardner to represent Mt. Carmel Irrigation Co. on your Adjudication Committee.

This committee got together one day in Glendale, Utah, at the home of Joseph F. Smith and elected Joseph F. Smith to be Chairman and Birt Gardner to be Secretary. We then divided up the list of delinquent water users on the list you sent in your letter of June 8th so that each one of us could see part of them and collect if possible. I am not as yet able to make a complete report on this work as I have not been able to get to see Mr. Smith and find out how he was getting along.

Inclosed you will find a Money Order for \$3.90 which has been handed to us by some of the delinquents as follows:

Fred G. Carroll	for 1932	\$1.10✓
Ellen Chamberlain	for 1932 - - - - -	1.50✓
W. J. Brooksby	for 1932	.65✓
Joseph Brooksby	for 1932	.65✓
		<hr/> \$3.90

Wm. J. Swapp was contacted by Mr Heaton who reports that Mr. Swapp absolutely refused to pay any of the long list of assessments that are charged against him. It is the opinion of Mr. Heaton and myself that Mr Swapp should pay these assessments and his proportion of future assessments or forfeit his right to State protection in the use of the water. I am sure Mr. Smith will concur in this opinion however we would like to know what you think about it. We might find it desirable to change the basis on which these assessments as a whole are to be made, but we will have to thrash that out later.

Mr. Roswell DeMill lives in Rockville, Utah, and that is hardly practicle to make a trip down there to see him so I wrote him a letter explaining the situation to him and asked him to pay his delinquents to you direct or to me at once or as soon as possible. I havn't had any answer from him yet.

I talked to Josiah Chamberlain Of Orderville, Utah, who is using part of the water that is decreed to Homer W. Esplin. He said he was unable to pay anything on these delinquents until he could get some money. He also said the water now belongs to Charles Esplin of Cedar City, Utah, who will be directly responsible for these assessments from now on.



John Brooksby has agreed to pay, but has not yet done so that I know of. Whitney McDonald, Fred R. Major, Annie McDonald, Isaac C. Spencer, W. S. Carpenter, and Alta M. Sorensen have not yet been reported to me so I cannot report on them.

I talked with Mr. David W. P. Stevens of the Muddy Irrigation Co. and he showed me a receipt from George M. Bacon State Engineer dated Aug. 27, 1928, which said that the Muddy Irrigation's assessment for the year 1928 (\$8.90) had been paid. He also showed me a receipt for \$9.60 dated July 28, 1933. These two items removed from their account leaves \$18.20 still due from them which Mr. Stevens said he would collect and forward to you as soon as possible. These Muddy water users insist that they and others in this basin who are not ever contacted or benefited by the services of the creek rider should not have to pay as high an assessment in proportion to their shares of water as those who are. This is another proposition that will have to be decided on when all concerned will have had time and opportunity to think it over.

Mr. I. L. Bowers of Orderville, Utah, who is using the Edward Carroll water and is therefore responsible for the assessments was contacted. He said he knew it was a debt that had to be paid but just now he was absolutely unable to meet it. That is about all that I can report on at this time. I am sorry that this work has dragged along so badly. I was shoved into it against my will at a time when I was unable to devote any more time to public affairs without allowing vital personal affairs to suffer serious neglect. The members of my company who put me in were told plainly of this condition but still they would not take no for answer so I had to let it slide until I could find the time to work at it.

The water Commissioner's pay is already due and should be paid but so far as I know there is not anywhere near enough funds to meet it. It seems to me that another general assessment will have to be made to get sufficient funds within any reasonable length of time. The other members of the Committee and the water users who have kept their assessments paid up I know are generally opposed to this so I will not venture to recommend it until the others sanction it.

Yours very truly,

Bert Gardner

